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BANKRUPTCY COUNSEL FOR  
DEBTOR IN POSSESSION

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IN RE:**

**TODD MEAGHER,  
  
DEBTOR.**

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**Chapter 11  
Case No. 20-40208-11  
  
Hearing set for:  
August 27, 2020 at 1:30 p.m.**

**DEBTOR'S MOTION TO DISMISS CHAPTER 11 BANKRUPTCY CASE**

TO THE HONORABLE MARK X. MULLIN,  
UNITED STATES BANKRUPTCY JUDGE:

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS MOTION WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

COMES NOW TODD MEAGHER (the "Debtor"), the Debtor-in-Possession in the above-captioned Chapter 11 case (the "Bankruptcy Case"), files this, his *Motion to Dismiss Bankruptcy*

Case (the “Motion”) to dismiss his Bankruptcy Case without prejudice. In support hereof, the Debtor would respectfully show the Court the following:

### **I. JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. Consideration of this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **II. PROCEDURAL BACKGROUND**

2. On January 15, 2020 (the “Petition Date”), the Debtor commenced this Chapter 11 Case by filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

3. The Debtor continues to manage his estate as a Debtor-in-Possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or official committee has been appointed in this Case.

### **III. RELIEF REQUESTED**

4. Pursuant to Section 1112(b) of the Bankruptcy Code, the Debtor seeks the entry of an order dismissing his Bankruptcy Case without prejudice. 11 U.S.C. § 1112(b).

### **IV. AUTHORITY FOR RELIEF REQUESTED**

5. Section 1112(b) of the Bankruptcy Code permits the bankruptcy court to dismiss a Chapter 11 case for cause in the best interests of creditors and the estate. A bankruptcy court has broad discretion under Section 1112(b) to dismiss a Chapter 11 case for cause. *In re Lumber Exchange Bldg. Ltd.P’ship*, 968 F.2d 647, 648 (8th Cir. 1992).

6. The Debtor believes that cause exists to dismiss the Bankruptcy Case because the Debtor’s significant debt to GHER Solutions LLC is being written off and GHER will be assisting the

Debtor in resolving his other debt concerns. There are no unusual circumstances that exist as to why dismissal of the Bankruptcy Case is unwarranted. The only effect of continuing this Chapter 11 Case would be to burden the Debtor through restraint on his business activities and accrual of fees to the U.S. Trustee. Thus, the Debtor respectfully requests that the Court enter an order dismissing the Debtor's Bankruptcy Case without prejudice.

**V. PRAYER**

WHEREFORE, PREMISES CONSIDERED, the Debtor prays the Court grant this Motion to Dismiss and for all further relief to which the Debtor shows himself justly entitled.

Dated: July 31, 2020

Respectfully submitted,

/s/ Mark A. Castillo

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**COUNSEL FOR  
DEBTOR IN POSSESSION**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on July 31, 2020, a true and correct copy of the foregoing document was served by the Court's ECF email system on the U.S. Trustee and all parties on the attached matrix.

/s/ Robert C. Rowe

Robert C. Rowe